

**MINUTES
COLUMBUS PLAN COMMISSION MEETING
MARCH 7TH, 2007 AT 4:00 P.M.
MEETING HALL, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Dave Fisher (President), Dave Bonnell, John Hatter, Tom King, Jack Heaton, Bryan Haza, Joan Tupin-Crites, Jesse Brand, Brian Russell, and Tom Finke (County Liaison).

Members Absent: Pat Zeigler and Steve Ruble.

Staff Present: Jeff Bergman, Sondra Bohn, Laura Thayer, Marcus Hurley, Thom Weintraut, Heather Pope, and Alan Whitted (Deputy City Attorney).

CONSENT AGENDA

Minutes of the February 7, 2007 meeting.

Motion: Mr. Hatter made a motion to approve the minutes with a correction on page 9 regarding a last name. Mr. Brand seconded the motion and it carried unanimously by voice vote.

OLD BUSINESS REQUIRING COMMISSION ACTION

PUDF-07-01: LOT 2A COLUMBUS CROSSING – a request by JWL Properties for approval of a Final PUD Plan for a property of approximately 2.21 acres, currently zoned PUD, to construct a 22,000 square foot retail strip center with associated parking, landscaping, lighting, and other infrastructure. The property is located on the northeast corner of Merchants Mile and Carr Hill Road in the City of Columbus.

Mr. Fisher read a letter into the record from JWL Properties requesting a continuance to the April Plan Commission meeting.

Motion: Mr. Haza made a motion to approve the request for the continuance to the April, 2007 meeting. Mr. Heaton seconded the motion and it carried with a vote of 8-0.

Ms. Tupin Crites arrived at this time.

BROOKFIELD PLACE MAJOR SUBDIVISION – a request by Joel Spoon and Scott Best to subdivide 10.08 acres into 22 residential lots. The property is located on the east side of Terrace Lake Road approximately 750 feet south of Carr Hill Road in the City of Columbus.

Mr. Hurley presented the staff information on this request.

Mr. Joel Spoon and Scott Best represented the petitioners.

Mr. Spoon stated they had no comments and would ask for approval.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Spoon stated they were in agreement with all the staff comments.

Mr. Bergman stated the Planning Department is recommending approval of the subdivision and all modifications requested. He stated staff recommends that the following be included as a condition of approval: Sidewalks and curb ramps shall be provided on both sides of "Brookfield Court" at the intersection with "Brookfield Drive".

Motion: Mr. Heaton made a motion to approve this request and grant relief from all the modifications requested. He stated the following be included as a condition of approval: Sidewalks and curb ramps shall be provided on both sides of "Brookfield Court" at the intersection with "Brookfield Drive". Mr. Bonnell seconded the motion and it carried with a vote of 8-0 with Mr. Brand abstaining.

NEW BUSINESS REQUIRING COMMISSION ACTION

SU-07-04: COLUMBUS FIRE DEPARTMENT – a request by the Columbus Fire Department for site plan approval for a property of 6.12 acres, zoned SU-11 (Public Buildings and Uses), located on the north side of Verhulst Street approximately 197 feet east of Andrews Street (Lot 31, Columbus Municipal Airport Section VII) in the City of Columbus.

Ms. Pope presented the staff information on this request.

Mr. Gary Henderson, Chief of the Columbus Fire Department, represented the petitioner.

Mr. Fisher asked what would be appropriate for dumpster screening. Ms. Pope replied that anything that is solid and opaque would comply with the Zoning Ordinance.

Ms. Tupin-Crites asked how close the nearest sidewalk is. Ms. Pope stated at the intersection of Middle Road and Rocky Ford Road.

Mr. Heaton asked what constitutes a low-rise building. Ms. Pope stated it was the responsibility of the Aviation Board to determine if the building is in the flight plan at the airport. She stated that the petitioners have been working with the airport to determine this. Mr. Bergman stated everything from Mr. Rod Blasdell, Director of the Airport, indicated that the building is in compliance and he is working on the necessary papers to certify that.

Mr. Henderson stated there were two dumpsters that were found. He stated that one would be removed and the other one that sits behind the training building will be properly screened. He stated Mr. Blasdell had filed the paperwork with the Federal Aviation Administration and that will be forthcoming. Mr. Henderson stated there were no sidewalks proposed.

Mr. Fisher asked what happens at a Fire Department training facility.

Mr. Henderson stated that in the building that they were proposing they could ignite live fires and

practice putting them out. He stated it has moveable walls that can be changed for training purposes. Mr. Henderson stated that the Columbus Police Department's TAC Team could use the building for repelling. He stated that the windows are made to be knocked out for force able entry. He stated that the building could be used for any type of live fire training. Mr. Henderson stated that the building would be used very frequently.

Mr. Brand stated that it was his understanding that this building would be used for regional fire departments, not just the Columbus Fire Department for training purposes. Mr. Henderson stated that once the building is constructed there could be different departments in Region 8 that will be using the facility. He stated that if they can get it designated as a regional facility there would be state funds available for training.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that there had been a presentation from the Airport Board to the Plan Commission regarding their plan for the airport. At this time, the consultants are working on a plan that will address land use issues and many other things for the airport. He stated he was expecting a Planned Unit Development for the airport sometime this year. Mr. Bergman stated that given the drainage situation and the infrastructure, sidewalks are not recommended. He stated that staff would recommend approval subject to the following: (1) A letter from the Aviation Board stating that the tower will not impact flight operations and (2) dumpster(s) opaquely screened as required by the Zoning Ordinance.

Motion: Mr. Brand made a motion to approve this request subject to the following: (1) A letter from the Aviation Board stating that the tower will not impact flight operations and (2) dumpster(s) opaquely screened as required by the Zoning Ordinance. Ms. Tupin-Crites seconded the motion and it carried with a vote of 9-0.

RZ-07-02: CORNERSTONE DEVELOPMENT – a request by Cornerstone Development to rezone a property of 30 acres from AG (Agriculture) to R-3 (Single Family Residential). The property is located on the south side of County Road 200 South, approximately 200 feet east of Terrace Lake Road in Columbus Township.

Ms. Thayer presented the staff information on this request.

Mr. George Dutro with Cornerstone Development and Mark Isaacs with Independent Land Surveying represented the petitioner.

Mr. Dutro stated that they agreed with the staff report. He stated that this would be developed according to the Zoning Ordinance for the requested zoning. Mr. Dutro stated that some kind of a detention pond would be necessary. He stated the land use does fit with what is called for in the Comprehensive Plan. Mr. Dutro stated that the rezoning request represents responsible growth and development of areas that are contiguous and adjacent to the City of Columbus.

Mr. Fisher opened the meeting to the public.

Mr. Richard Tremain asked what the difference was between R-2 and R-3 zoning. Mr. Bergman

stated it was the density, he stated that in an R-2 the maximum density is 3.5 dwelling units per acre. He stated that the density in R-3 is 5 units per acre. He also expressed concerns about adding a buffer to the west.

Mr. Bill Boes expressed concern about increased traffic and safety.

Mr. Kent Wagner stated he did not think the zoning was appropriate, expressed concerns with increased traffic, and wanted road improvements to County Road 200 South.

Mr. Rick Phillips expressed concern about the use of the property for more houses and increased traffic.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that the R-3 zoning is more appropriate for this site than the R-2 due to the increase in density in this area of growth and development. He stated there has been a gradual urbanization here and the infrastructure is there to support it. He stated that there is awareness that there needs to be some improvements made. Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council.

Motion: Mr. Russell made a motion to send this request to the City Council with a favorable recommendation. Mr. Hatter seconded the motion and it carried with a vote of 9-0.

MP-07-01: SCHUETTE 2ND MINOR SUBDIVISION – a request by Edwin H. Schuette to create a 20.19-acre lot. The property is located on the north side of County Road 225 South approximately 767 feet west of County Road 550 West in Harrison Township.

Mr. Hurley presented the staff information on this request.

Mr. Orwic Johnson with Columbus Surveying & Engineering represented the petitioner.

Mr. Johnson stated that one house is proposed on twenty acres.

Mr. Fisher opened the meeting to the public.

Ms. Pam Wint asked if there would be more than one residence. Mr. Fisher stated no.

Mr. Fisher closed the meeting to the public.

Mr. Brand stated that this petitioner is requesting to divide one parcel, but they could develop the other site into more houses in the future. Mr. Fisher stated that was correct.

Mr. Bergman stated that the reason this request could not be approved at Plat Committee was the request for modification of sidewalks. He stated that installing sidewalks at this location would not be appropriate and staff would recommend approval of this request.

Motion: Mr. Bonnell made a motion to approve this request and to grant modification for installation of sidewalks. Ms. Tupin-Crites seconded the motion and it carried with a vote of 9-0.

PP-07-02: DEER RUN AT TIPTON LAKES MAJOR SUBDIVISION – a request by Westlake Hills Development Company to subdivide 91.094 acres into 140 residential lots. The property is located on the northwest corner of Tipton Lakes Boulevard and Goeller Road in the City of Columbus.

Mr. Hurley presented the staff information on this request.

Mr. Don Michael with Tipton Lake Company, and George Lucas and Marty Mann with LandWater Group, Inc. represented the petitioner.

Mr. Michael stated that they would work with the Planning Department to pick another name for the subdivision. He stated the land to the west is a privately owned estate, which consists of 22 acres. Mr. Michael stated that if the City of Columbus would want a connection to this site that could be achieved by setting up a roadway through Block B. Mr. Michael stated they would record the administrative subdivision for Tipton Lakes West shortly.

Mr. Mann stated that the proposed plat includes several lots, which may be affected by an undefined floodplain at a tributary to Denois Creek. He stated that FEMA usually stops with the floodplain study when each individual streams drainage and reaches one square mile. Mr. Mann stated that the FEMA study needs to be extended from the standpoint of protecting the homes. He stated that FEMA would not accept a study extension because they do not want to deal with it if it is less than a square mile. Mr. Mann stated that DNR would not have jurisdiction over this. He stated they would obtain a letter from DNR verifying that there is no jurisdiction and submit it to FEMA. Mr. Mann stated that FEMA did not want to study small watersheds. He stated that it was his opinion that either agency will not want to get involved.

Mr. Mann stated that they would do a base line study that they can submit that will coincide with construction drawings and the submission of the final plat. He stated they would do an additional study showing the flood plain and then submit to FEMA if they will take it. Mr. Bergman stated this would be for future homeowners so they are not put in a negative situation. Mr. Mann stated the buildings would be set at a higher level than the 100-year flood elevation.

Mr. Fisher asked how many lots this would effect in the southwest corner. Mr. Mann stated five or six lots.

Mr. Michael stated that Block A will be presented to the Plan Commission at a different time as another plat. He stated if a "no access" notation is required they might be back to ask the Commission to remove it. Mr. Bergman stated that the main concern that has been discussed at this location is that Goeller is a secondary arterial and there will be a real attempt on the part of the City to maximize traffic movement and mobility on that street, and providing access is secondary.

Much discussion was held regarding installation of a stub street to the west of the property. Mr. Fisher asked the Plan Commission members if they thought a stub street was necessary. Mr. Russell stated that since there is an estate located there would there be less chance for development at this site. Mr. Brand stated that the potential beneficiary or disadvantaged party is the owner of the estate. He stated they may not be able to do future development and could be land locked if they do not have access. Mr. Fisher stated the idea of putting a subdivision together is to be able to connect them.

Mr. Fisher opened the meeting to the public to see if the owner of the estate was in the audience.

There was no one to speak to this topic.

Mr. Bergman stated that there are three options for the stub street. One option is to do nothing, which is shown on the plat, other one is ask them to plat right-of-way but not build the road, and the other is to ask them to install the stub street. Mr. Bergman stated that if for some reason the house is removed it could be developed. Mr. Michael asked if it was their responsibility to provide them with contingency plans in case the current plan fails. Mr. Bonnell stated that they could leave Lot B vacant and then there would be the option to come back and put the stub street in. The majority of the Plan Commission members agreed with Mr. Bonnell.

Mr. Michael reviewed the City Engineer's Comments as follows: (1) Show "no access" notation on Block "A" frontage except for proposed intersection at Boulder Court. The Plan Commission members discussed this and it was agreed that they would not show "no access" notation on Block A. (2) Show road improvements along all of Goeller Boulevard: 14 feet from the centerline to the back of the curb, and additional widths as needed for tapers and turn lanes at intersections. Mr. Michael agreed to this. (3) Show a horizontal curve instead of an intersection at Lots 12 and 13. Mr. Michael agreed with this. (4) Extend the "no access" notation farther along Tipton Lakes Boulevard to include lots 120, 139, 132, and 133. Mr. Michael stated that this was shown on the new version. (5) Show underdrain pipes on a typical street section. Mr. Michael stated they agreed with this. (6) Show typical cross section for divided entrance roads. Mr. Michael stated this would be included.

Mr. Michael stated that their current pathways for sidewalks are a five to six foot width profile and they would prefer to leave them like that.

Mr. Michael reviewed the following SRC comments that had not been addressed (1) Change name from "Deer Run at Tipton Lakes". Mr. Michael stated they agreed with this. (2) Proposed sidewalk appears to be located outside of the proposed right-of-way to be dedicated. Mr. Michael stated if the sidewalks should fall within the right-of-way, the plat would reflect this. (3) The "no access" notation should be added on the Goeller Boulevard frontage at Block 'A', at the area labeled Common Area Pond, and on Block 'B'. Mr. Michael stated that was logical and would agree, except for the Block A area that is adjacent to the utilities lift station. (4) Provide a detailed drainage plan, particularly regarding the tributary of Denios Creek along Block 'B' and the proposed adjacent lots. Mr. Michael stated that LandWater Group would be submitting this item. (5) Add Street names, which are subject to Planning Department approval. Mr. Michael stated that would be done in conjunction with the Planning Department. (6) Label the entrance medians as blocks. Mr. Michael stated they would be labeled as blocks. (7) Future connections to property to the west and north may be needed. Mr. Michael stated the future connection to the north would be to Tipton Lakes Boulevard. (8) Demonstrate landscape easements along Goeller Boulevard and Tipton Lakes Boulevard. Mr. Michael stated that what is now labeled non-exclusive could be labeled separately for drainage, pedestrian, and vegetation. Mr. Bergman stated there is concern about creating landscaping and utilities in the same easement. He stated there was a need to separate those two. Mr. Michael stated they would work on that. (9) Indicate maintenance details for common areas in covenants. Mr. Michael stated there would be a set of covenants supplied for the neighborhoods. (10) Road improvements are needed along Goeller Boulevard. Mr. Michael stated the improvements would be done. (11) Show a typical section of Goeller Boulevard, (12) Show under drains in a typical street section; and (13) Show entrance details in a typical section. Mr. Michael stated the last three items would be shown on the revised site plan when submitted.

Mr. Bergman stated that, upon consultation with Steve Ruble, acceleration and deceleration lanes would not be required at the intersection along Tipton Lakes Boulevard.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that staff would recommend approval subject to the following changes that had been discussed.

Motion: Ms. Tupin-Crites made a motion to approve this request subject to the noted changes. Mr. Brand seconded the motion and it carried with a vote of 9-0.

Mr. King left the meeting at this time.

AD-07-02: REPLAT OF TREMAIN ACRES LOT 3 – a request by Jill Glick for relief of the 200 feet of separation between driveways. The property is located on the south side of County Road 200 South approximately 350 feet west of Terrace Lake Road in Columbus Township.

Mr. Weintraut presented the staff information on this request.

Mr. Rik Sanders with E.R. Gray & Associates and Jill and Rory Glick represented the petitioners.

Mr. Sanders stated there was an existing driveway for Lots 1 and 2 of Tremain Acres and a platted easement to provide access to lot 1. Mr. Sanders stated it was found that they could not share the drive that is existing to the south. He stated that there are utility structures located on the site where the new drive is to be located. He stated that the plat shows a fifty-foot access opening, but the owners of Lot 3 have only about twenty-five feet to work with. Mr. Sanders stated a driveway that comes into the property at a 90 degree angle can not be provided. He stated Duke Energy was reluctant to move any of their equipment from the site. Mr. Sanders stated it was unsafe to put the drive at this location.

Mr. Sanders stated that it was recommended that the petitioners consider working with the owner of lot 2 and gain access from County Road 200 South at that access point. He stated that they would have to agree with this and it was his understanding they are refusing to share this drive. Mr. Sanders stated the petitioners needed a safe access and would like to move the access point approximately 50 feet to the east of the currently approved location.

Another problem is that the owner of lot A3 cannot use the existing drive because of a note on the plat. Mr. Bergman asked what the relationship was between the owners of lot 3 and lot 2. Mr. Glick stated that the lot 2A owners were Ms. Glick's parents.

Mr. Sanders stated that the modification for the 200 feet separation of drives was justified and the proposed drive would be safer than the existing one that has been approved.

Mr. Fisher asked why the two existing drives could not be used.

Mr. Sanders stated that the plat indicates that the existing lane that runs south to the other

properties cannot be used for access of lot 3. He stated this is on the original plat that is recorded. Mr. Sanders stated that the for lot 3 to share the drive located on the property to the east two other lot owners would have to sign the legal documents to allow someone else to use that drive. He stated they were unwilling to do that. Mr. Glick stated that was accurate. He stated that the existing drive that they would be asked to share would run due west and then come back in across the front of both residents. Mr. Glick stated that if they widen County Road 200 South that would eventually become a problem with the driveway location.

Mr. Fisher opened the meeting to the public.

Mr. Tremain stated that they may sell both of the properties and would rather not have another person share this driveway. He stated it was his opinion that if the proposed location were used for the new drive there would be a safety issue. Mr. Tremain stated it was his opinion that a new driveway should be approved that would allow them to enter at their residence.

Mr. Kent Wagner spoke in favor of this request

Mr. Fisher closed the meeting to the public.

Much discussion was held regarding construction of the proposed driveway.

Mr. Russell stated that his opinion was that there has already been an access approved for this site and that the relocation of the driveway would be justified.

Mr. Bonnell stated it would make sense to allow them to relocate the driveway.

Mr. Bergman stated that the City Engineer's office had recommended that the access to Lot 3 remain as shown on the original plat or be relocated to the existing access now serving Lots 1A& 2A. He stated the driveway separation requirements would not allow a new access point on Lot 3.

Mr. Heaton spoke in favor of allowing this request.

Mr. Bergman stated that it was his opinion that not all of the options have been explored. He stated that the plat could be changed and they could share the driveway on Lot 2A. Mr. Bergman stated that would address some of the concerns with safety. He stated that he would recommend denial.

Motion: Mr. Bonnell made a motion to approve this request and to allow the modification for the relief from the required 200-foot separation. Mr. Heaton seconded the motion and it carried with a vote of 6-2 with Mr. Haza and Mr. Fisher being the nay votes.

DISCUSSION ITEMS

Mr. Bergman passed out the new City of Columbus and Bartholomew County, Indiana Zoning Ordinance Public Review Draft. He asked the members to read this document and if they had any question to call him at the office. Mr. Bergman stated that there would be a meeting April 11, 2007 for discussion in the Meeting Hall from 4:00 to 6:00 p.m.

DIRECTOR'S REPORT

LIAISON REPORTS

Written reports were received and discussed.

ADJOURNMENT: 7:00P.M.



David L. Fisher, President



Steve Ruble, Secretary